

MICHIGAN SUPREME COURT



Office of Public Information

contact: Marcia McBrien | (313) 972-3219 or (517) 373-0129

FOR IMMEDIATE RELEASE

LEGISLATORS LAUDED FOR COURT REFORM EFFORTS BY CHIEF JUSTICE CORRIGAN

LANSING, MI, August 15, 2002 – Legislators who introduced bills to reform Michigan’s trial court system came in for praise today from Michigan Supreme Court Chief Justice Maura D. Corrigan.

“In March, this Court recommended to the Legislature that the people of Michigan have the option to streamline their courts,” Corrigan said. “I am gratified that the Legislature has taken up this very important issue.”

While not taking a position on the bills, Corrigan said she appreciated legislative efforts to reform Michigan’s courts.

“The Court has studied this issue and made our best recommendation, which is that court reform be available on a ‘local option’ basis,” she said. “It now lies with the Legislature to determine the best way to accomplish this goal.

“Our experience has been that combining circuit, probate and district courts into one trial court saves taxpayer money, makes courts more efficient, and moves cases more quickly,” Corrigan said. “While this arrangement may not work everywhere in Michigan, the Court feels strongly that the people of Michigan should have a choice.”

The bills, SB 1400 and HB 6260, were introduced on August 13 by Sen. William Van Regenmorter (R-Georgetown Township) and Rep. Jim Howell (R-St. Charles). HB 6260 permits participating courts to have a “plan of concurrent jurisdiction.” SB 1400 deals with family court jurisdiction issues.

On the trial court level, Michigan has circuit, probate, and district courts. Each court has jurisdiction over different kinds of cases.

“Under our current court structure, a district court judge who has some free time cannot

offer his or her assistance to a circuit judge swamped with felony cases to try. Nor can a probate judge with an overwhelming docket turn for help to a less-busy colleague on the circuit court. Unless the Supreme Court issues an order of cross-assignment, each judge is stuck in his or her own jurisdictional box,” Corrigan explained.

Based on a study initiated when Justice Michael F. Cavanagh was Chief Justice, the Supreme Court authorized “demonstration project” courts to experiment with court consolidation. In 1996, the State Court Administrative Office invited trial courts throughout the state to apply for the project. Six project courts – Barry County, Berrien County, Isabella County, Lake County, Washtenaw County, and 46th Circuit (which includes Otsego, Crawford, and Kalkaska counties) were chosen. In 1999, Iron County became the seventh demonstration project court. In all these courts, district, circuit and probate courts were combined into one trial court. Any judge within the trial court has full authority to hear any case that comes before that court. The project courts also have the flexibility to deal with local challenges and needs. The demonstration project courts combined the functions of all three courts into a single “trial court.” A consolidated trial court has a single budget. All the judges of the consolidated trial courts may be assigned to any division of the court – family, criminal, civil, etc. – to meet the demands of the court’s workload.

In a September 2001 report, the National Center for State Courts (NCSC) concluded that “all of the consolidated courts are generally making more efficient use of judicial and quasi-judicial resources ... than the pre-consolidation courts.” In addition, the courts used technology effectively and cut down on the amount of time used to resolve cases. The demonstration project courts also “hastened the delivery of justice to families,” the report stated.

The Michigan Legislature created the Family Division of Circuit Court, which became operative in 1998. But, almost two years earlier, the demonstration projects created family divisions to resolve cases involving family and children’s issues. The result was improved coordination of cases relating to the same family, the NCSC concluded.

Unified trial courts have also reduced operating costs as compared with pre-unified courts in the same county, the NCSC report states. In 1994, before unifying its trial courts, Washtenaw County spent \$11 million to run its courts, while the courts generated \$10 million in income. In 2000, by contrast, the unified court’s revenues exceeded expenditures by more than \$2 million. In general, Michigan’s counties spend 40 percent of their budgets on local trial courts, “so the experience of the demonstration project courts is good news for counties,” Corrigan said.

Corrigan added that “In Barry County, before court consolidation, the average time for felony cases to move from an arrest to a plea was three months. Today, the average time is four to six weeks. This happened even though the court’s caseload increased from approximately 900 to 1,600.”

In a March 7, 2002 letter sent on behalf of the Court to Governor John Engler, Senate

Majority Leader Dan DeGrow, and Speaker of the House Rick Johnson, Corrigan called for “concurrent jurisdiction among the trial courts” as a local option, in a manner consistent with the Michigan Constitution.

The letter added that the Court recognized that, “while many find these changes [court consolidation] beneficial, there are those who are equally sincere who are of the view that in their communities these approaches would be less successful.” The solution, the Court’s letter stated, is to permit communities to choose court unification “on a local option basis.”

– MSC –